

HEBER PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS

1078 Dogwood Rd., Suite 104
Heber, CA, 92249

Thursday, August 20, 2015 @ 6:00 p.m.

MINUTES

The District recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the District (760-482-2440) two working days prior to the meeting with any special requests for reasonable accommodation.

1. CALL TO ORDER:

The meeting of the Board of Directors of The Heber Public Utility District was held at the District's meeting room and called to order at 6:13 pm by President Valdez-Belmonte.

2. ROLL CALL:

Directors present at roll call: D. Garcia, E. Valdez-Belmonte, and S. Escobedo, also present General Manager Laura Fischer, Board Secretary, Raquel Carrillo; and General Counsel, Mr. Steve Walker. Director Sandoval arrived at 6:28 pm and Director Lizarraga was excused absent.

3. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by President Eduardo Valdez-Belmonte.

4. APPROVAL OF AGENDA:

General Manager asked the Board to move item 8-E up to 8-B. The Motion to Approve the Agenda with changes made was made by Director Garcia, seconded by Director Escobedo.

Motion approved by Roll Call: 3/0

AYES: D. Garcia, E. Valdez-Belmonte and S. Escobedo

NOES:

ABSENT: T. Sandoval and M. Lizarraga

5. PUBLIC PRESENTATIONS/COMMENT:

The Board may set time limits on the amount of time any speaker can use to address the Board. Members of the public are allowed to make comments about anything not listed on the agenda. If the comments concern an agenda item, they must wait until that item is up for discussion. If you wish to address the Board, please fill out a "Request to Speak Form" and hand it to the Clerk of the Board and when recognized by the President of the Board, go to the podium and address the Board. The Board can't take action on any item not on the agenda.

Mr. Samuel Figueroa approached the Board with some concerns regarding the Baseball Field lights and reservation of Tito park. He mentioned that he coaches a travel team with kids from Heber and they practice at Tito park. Mr. Figueroa's main concern was that other teams from different cities come and practice at the field. He was requesting that the Board give his team priority to the field. General Manager mentioned that staff is trying to accommodate everyone that comes in and that staff has to set up a schedule assigning different times the field can be used by different teams. This issue will be further discussed on Item 8-E.

Mr. Gildardo Delgado approached the Board asking if a petition can be sent to County Supervisor Jack Terrazas to be invited to HPUD's monthly meetings and have Mr. Terrazas be more attentive to Heber needs, "parks, sidewalks, streets". Mr. Delgado also mentioned that he would like a copy of letter sent to Mr. Terrazas. Direction was given to General Manager to write the letter to Mr. Terrazas.

6. CONSENT AGENDA: Any item on the Consent Agenda may be removed and placed under New Business at the request of any Board Member or member of the Public.

A. Approval of Minutes for the Regular Meeting on June 18, 2015.

B. Approval of Current Demands for June and July 2015.

The Motion to Approve the Consent Agenda was made by Director Sandoval, seconded by Director Escobedo.

Motion approved by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval and
S. Escobedo.

NOES:

ABSENT: M. Lizarraga

7. REPORTS:

A. Operations Report for June and July 2015

Informational Only.

B. President and Director's Comments

Director Garcia-Ruiz mentioned to the Board that the Car Show was being moved from October 3rd to November 7th. Director Garcia also mentioned that she will need help with the Insurance fee and to ban alcohol sign only for one day. Director Garcia-Ruiz also mentioned she was working on Zombie 5k Mud Run and Monster Mile Mud Run on October 31st.

C. Ad-Hoc Committees Report – Members E. Valdez-Belmonte & T. Sandoval

HPUD Contribution/Donation Policy – Director Valdez-Belmonte briefly mentioned that he had not been able to meet with Director Garcia-Ruiz.

Legal Service Contract Review – Director Valdez-Belmonte mentioned that meeting went well item will be discussed on 9-A.

- D. General Manager's Report. Information to the Board was provided.

8. NEW BUSINESS: Discussion and Possible Action

- A. Adopt Resolution Number 2015-12 Restricting Secondary Water Source Service Connections Within the HPUD Service Area(s) and Amend the Utility Service Policy Accordingly – General Manager

Ralph Cordova, CEO for the County of Imperial and James Lo, owner of Imperial Center Development, addressed the Board with concerns regarding the Restriction of Secondary Water Service Connection as it would affect the Imperial Center project. After a lengthy debate, Motion to Adopt Resolution Number 2015-12 Restricting Secondary Water Source Service Connections within the HPUD Service Area(s) and Amend the Utility Service Policy Accordingly was made by Director Sandoval, seconded by Director Garcia-Ruiz.

Motion approved by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval, & S. Escobedo

NOES:

ABSENT: M. Lizarraga

- E. Facilities Use Policy – Discussion Only

Discussion with members of the audience was held during Public Comment. After a lengthy review and discussion with members of the audience, direction was given to staff to work on a Facilities Use Policy. Director Sandoval will also work with staff.

- B. Consider Request to Renew Franchise Agreement With CR&R for Waste Hauling Services – Presentation by CR&R – General Manager

Motion to Authorize General Manager to work on contract and bring final draft back to Board was made by Director Garcia-Ruiz, seconded by Director Sandoval.

Motion approved by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval & S. Escobedo

NOES:

ABSENT: M. Lizarraga

- C. Appoint Two HPUD Board Members to Service on the Heber Community Foundation Board of Directors – General Manager

General Manger mentioned that the By Laws were sent to Mr. Jesus Ramirez and the Heber Community Foundation (HCF) needs two HPUD Board members to serve on the HCF Board. Motion to Appoint Director Valdez-Belmonte and Director Escobedo to Service on the Heber Community Foundation Board of Directors was made by Director Sandoval, seconded by Director Garcia-Ruiz.

Motion approved by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval, and S. Escobedo

NOES:

ABSENT: M. Lizarraga

- D. Authorize Participation in a Clean Up Heber Campaign in Partnership with the Imperial County Sheriff's Office and Other Community Volunteers and Non-Profit Organizations and Authorize Related Expenditures – General Manager

Motion to Authorize Participation in a Clean Up Heber Campaign was made by Director Garcia-Ruiz, seconded by Director Valdez-Belmonte

Motion approved by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval, & S. Escobedo

NOES:

ABSENT: M. Lizarraga

9. OLD BUSINESS: Discussion and Possible Action

- A. Approve the Agreement for Legal Services with Walker & Driskill, PLC – General Manager

Motion to Approve the Agreement for Legal Services with Walker & Driskill, PLC was made by Director Garcia-Ruiz, seconded by Director Sandoval.

Motion to approve by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval, & S. Escobedo

NOES:

ABSENT: M. Lizarraga

- B. Authorize the Purchase of a Mid-Sized Gas Pickup Truck From Robinson Ford for an Amount Not to Exceed \$23,822.75 – General Manager

Motion to Authorize the Purchase of a Mid-Sized Gas Pickup Truck from Robinson Ford for an Amount not to Exceed \$23,822.75 was made by Director Sandoval, seconded by Director Garcia-Ruiz.

Motion to approve by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval, & S. Escobedo

NOES:

ABSENT: M. Lizarraga

- C. Authorize the Purchase of a Full-Sized Diesel Pickup Truck From Robinson Ford for an Amount Not to Exceed \$37,204.75 – General Manager

Motion to Authorize the Purchase of a Full-Sized Diesel Pickup Truck from Robinson Ford for an Amount Not to Exceed \$37,204.75 was made by Director Garcia-Ruiz, seconded by Director Sandoval.

Motion to approve by Roll Call: 4/0

AYES: Garcia-Ruiz, E. Valdez, Belmonte, T. Sandoval, & S. Escobedo

NOES:

ABSENT: M. Lizarraga

- D. Authorize the Purchase of a Sewer Cleaner Truck From Haaker Equipment Co. for an Amount Not to Exceed \$292,761 and Modify the FY 2015-16 Budget – General Manager

Motion to Authorize the Purchase of a Sewer Cleaner Truck from Haaker Equipment Co. for an Amount Not to Exceed \$292,761 and Modify the FY 2015-16 Budget was made by Director Garcia-Ruiz, seconded by Director Valdez-Belmonte.

Motion to approve by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval, & S. Escobedo

NOES:

ABSENT: M. Lizarraga

- E. Adopt Resolution Number 2015-13 Authorizing the General Manager to Execute of the Certificate of Acceptance for APN number 001-601-1000

Motion to Adopt Resolution Number 2015-13 Authorizing the General Manager to Execute of the Certificate of Acceptance for APN number 001-601-1000 was made by Director Garcia-Ruiz, seconded by Director Sandoval.

Motion to approve by Roll Call: 4/0

AYES: Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval, & S. Escobedo

NOES:

ABSENT: M. Lizarraga

10. ANNOUNCEMENTS:

- A. Board of Supervisors meets every Tuesday @ 8:30 am 940 W Main St., El Centro
- B. CSDA newsletter www.csda.net – Annual Conference in Monterey CA on September 21 through 24.
- C. Tri-State Seminar in South Point Nevada (near Las Vegas) on September 22 through 24.

11. CLOSED SESSION:

The Motion to go into Closed Session was made @ 9:39 pm by Director Sandoval, seconded by Director Garcia-Ruiz
 Motion approved by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval, & S. Escobedo

NOES:

ABSENT: M. Lizarraga

- A. Government Code Section §54956.9. Conference With Legal Counsel – Pending Litigation
 Claim of Juan Acosta
- B. Government Code Section §54957. Employee Evaluation of Performance
 Employment Contract Renewal (General Manager)
- C. Government Code Section Government Code §54957.6 – Labor Relations
 (Employee Negotiations)

Board came back into Open Session at 10:11 pm
 No Reportable Action was taken.

12. ADJOURNMENT

The Motion to adjourn the meeting at 10:12 pm was made by Director Garcia-Ruiz, seconded by Director Sandoval.

Motion approved by Roll Call: 4/0

AYES: D. Garcia-Ruiz, E. Valdez-Belmonte, T. Sandoval, & S. Escobedo

NOES:

ABSENT: M. Lizarraga

Minutes of the Regular Meeting for August 20, 2015 were prepared by Raquel R. Carrillo – Secretary of the Board

Heber Public Utility District is an equal opportunity provider and employer.